

**Amendment to the Claims:****Listing of the Claims:**

1. – 8. (Canceled)

9. (Currently Amended) A method of executing a two-phase commit protocol for a transaction, the transaction involving a coordinator and a cohort and

the method comprising the steps performed in the coordinator of:

prior to termination of the transaction, receiving a message of the transaction from the cohort, the message being augmented with state information indicating whether the transaction modifies the cohort's data;

retaining the state information for the cohort; ~~and~~

when the transaction terminates, reading the state information for the cohort; and

if the state information for the cohort indicates that the transaction does not modify the cohort's data, sending an abort message of the two-phase commit protocol to the cohort without sending a commit request message of the two-phase commit protocol.

10. (Currently Amended) A method of executing a two-phase commit protocol for a transaction, the transaction involving a coordinator and a cohort and

the method comprising the steps performed in the cohort of:

prior to termination of the transaction, augmenting a message that the cohort sends to the coordinator as part of the transaction with state information indicating ~~whether~~ that the transaction will not modify the cohort; and

~~when the transaction terminates, receiving an abort message responding to messages received from the coordinator as required by the two-phase commit protocol without receiving a commit request message of the two-phase commit protocol; the coordinator sending a message of the commit protocol to the cohort as determined by the state information.~~

**11. – 19.** (Canceled)

**20.** (Previously Presented) A data storage device, characterized in that:  
the data storage device contains code which, when executed by a processor, performs the method of claim 9.

**21.** (Previously Presented) A data storage device, characterized in that:  
the data storage device contains code which, when executed by a processor, performs the method of claim 10.

**22. – 29.** (Canceled)

**30.** (Currently Amended) A coordinator in a distributed system that coordinates a two-phase commit protocol employed with a transaction that involves one or more cohorts in the distributed system,  
the coordinator having the improvement comprising:

retained state information that retains state of a cohort, the state indicating whether the transaction will modify the cohort's data, the coordinator receiving prior to termination of the transaction a message of the transaction from the cohort which has been augmented with the state information, retaining the state information from the augmented message in the retained state information, and

when the transaction terminates, reading the retained state information for the cohort, and if the retained state information for the cohort indicates that the transaction does not modify the cohort's data, sending an abort message of the two-phase commit protocol to the cohort without sending a commit request message of the two-phase commit protocol.

**31.** (Currently Amended) A cohort in a distributed system in which a coordinator in the distributed system coordinates a two-phase commit protocol employed with a transaction that involves the cohort, the cohort having the improvement comprising:

a message of the transaction that is augmented with state information indicating ~~whether~~ that the transaction will not modify the cohort's data, the cohort sending the message to the coordinator prior to termination of the transaction and the coordinator retaining the state information, and

when the transaction terminates, receiving if the retained state information for the cohort indicates that the transaction does not modify the cohort's data, sending an abort

message of the two-phase commit protocol ~~to the cohort~~ from the coordinator without  
receiving a commit request message of the two-phase commit protocol.